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#18

7-10-01

p.2



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Grigori N. Enikolopov and John Mignone
Application No.: 09/444,335 Group: 1632
Filed: November 19, 1999 Examiner: R. Schnizer
For: Transgenic Mice Expressing Fluorescent Protein in Multipotent Stem and Progenitor Cells

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231	
on <u>6-28-01</u>	<u>Jenine Crump</u>
Date	Signature
<u>Jenine Crump</u>	
Typed or printed name of person signing certificate	

COURTESY COPY OF SECOND SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicants are in receipt of the Office Action made Final mailed from the Patent Office on June 20, 2001. On page two of the Office Action, the Examiner indicated that he received the Second Supplemental Information Disclosure Statement (SSIDS) which was hand-delivered to him on May 16, 2001, however the Examiner had not provided the initialed Form 1449 from the SSIDS which indicates that he considered those references.

In a telephone conversation on June 27, 2001 between Applicants' Attorney and the Examiner, Applicants's Attorney requested that the Examiner forward a copy of the initialed Form 1449. In that telephone conversation, the Examiner indicated that he would send the initialed Form 1449 via facsimile.

On that same day, June 27, 2001, the Examiner called Applicants' Attorney to indicate that he could not find the SSIDS, however, the Examiner did recall that the SSIDS had originally been matched with the file, and that he had considered the references cited in the SSIDS. In view of the circumstances, the Examiner asked Applicants' Attorney to forward the Form 1449, via facsimile, and the Examiner would initial and return the SSIDS Form 1449 to Applicants' Attorney via facsimile. Applicants' Attorney also offered to forward a courtesy copy of the entire SSIDS (i.e., the SSIDS Transmittal Letter, the Form 1449 and the cited references) to the Examiner via first class mail.

Applicant submits herewith a courtesy copy of the SSIDS Transmittal Letter, the Form 1449, the cited references (AM, AN, AZ2 and AR3-AT3) and a copy of the postcard receipt date stamped May 16, 2001 by the U.S. Patent and Trademark Office indicating receipt of the SSIDS which were hand-delivered to the Examiner on May 16, 2001.

Applicant believes that there are no fees due for the referenced application. However, in order to maintain pendency of this application, please charge any fees which may be due in this matter to Deposit Account No. 08-0380. A copy of this letter is enclosed for accounting purposes.

Respectfully submitted,
HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Anne J. Collins
Anne J. Collins
Registration No. 40,564
Telephone (781) 861-6240
Facsimile (781) 861-9540

Lexington, Massachusetts 02421-4799

Dated: Jane



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COPY

Initials: AJC/ACT/ker Docket No.: 1314.1062-000 HAND DELIVERED
This is to acknowledge receipt of the following Hand Delivered documents:

- ☒ SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
- ☐ _____ w/copy
- ☒ Form PTO-1449 pp 1 ☒ with references as noted in 1449
- ☐ Check for \$ _____
- ☒ Authorization to Charge all Fees
- ☒ Other Copy of International Search Report

Applicants: Grigori N. Enikolopov, *et al.*
Application No.: 09/444,335 Filed: November 19, 1999
Title: Transgenic Mice Expressing Fluorescent Protein in Multipotent Stem and Progenitor Cells

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Date received by the PTO:

MAY 16 2001

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Applicants: Grigori N. Enikolopov and John Mignone
Application No.: 09/444,335 Group Art Unit: 1632
Filed: November 19, 1999 Examiner: Schnizer, R.
Title: Transgenic Mice Expressing Fluorescent Protein in Multipotent Stem and Progenitor Cells

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HAND DELIVERY

SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

This Information Disclosure Statement is submitted:

- ☐ under 37 CFR 1.129(a), or
(First/Second submission after Final Rejection)
- ☐ under 37 CFR 1.97(b), or
(Within any one of the following time periods: three months of filing national application (other than a CPA) or date of entry of the national stage in an international application; or before the mailing date of a first office action on the merits in a non-provisional application, including a CPA, or a Request for Continued Examination).
- ☒ under 37 CFR 1.97(c) together with either:
- ☒ a Statement under 37 CFR 1.97(e), as checked below, or
- ☐ a \$180.00 fee under 37 CFR 1.17(p), or
(After the 37 CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)
- ☐ under 37 CFR 1.97(d) together with:
- ☐ a Statement under 37 CFR 1.97(e), as checked below, and
- ☐ a \$180.00 fee under 37 CFR 1.17(p), or
(Filed after final action or notice of allowance, whichever occurs first, but on or before payment of the issue fee)
- ☐ under 37 CFR 1.97(i):
Applicant requests that the IDS and cited reference(s) be placed in the application filewrapper.
(Filed after payment of issue fee)

Statement Under 37 CFR 1.97(e)

- ☒ Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- ☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Statement Under 37 CFR 1.704(d) (Patent Term Adjustment)

Applies to original applications (other than design) filed on or after May 29, 2000

- ☐ Each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.
- ☒ Enclosed herewith is form PTO-1449:
- ☒ Copies of the cited references are enclosed.
- ☐ Copies of cited references are enclosed except those entered in prior application, U.S. Application No. [], to which priority under 35 U.S.C. 120 is claimed. [The earlier application contains copies of the cited references.]
- ☒ The listed references were cited in the enclosed International Search Report in a counterpart foreign application.
- ☒ The "concise explanation" requirement (non-English references) for reference AN under 37 CFR 1.98(a)(3) is satisfied by:
- ☐ the explanation provided on the attached sheet.
- ☐ the explanation provided in the Specification.
- ☒ submission of the enclosed International Search Report.
- ☐ the enclosed English language abstract.

☐ Applicant requests that the following pending applications be considered:

Examiner's
Initials

____ U.S. Patent Application No. [], Publication No. [], Publication Date [],
by [inventor(s)], filed [], Docket No.: []

____ U.S. Patent Application No. [], Publication No. [], Publication Date [],
by [inventor(s)], filed [], Docket No.: []

____ U.S. Patent Application No. [], Publication No. [], Publication Date [],
by [inventor(s)], filed [], Docket No.: []

Examiner

Date

☐ A copy of each above-cited application, including the current claims, is enclosed.

☐ A copy of each above-cited application, including the current claims, is enclosed, except those entered in prior application, U.S. Application No. [], to which priority under 35 U.S.C. 120 is claimed.

The Examiner is requested to return a copy of the above list of pending applications indicating which references were considered with the next office communication.

It is requested that the information disclosed herein be made of record in this application.

Method of payment:

☐ A check for the fee noted above is enclosed, or the fee has been included in the check with the accompanying Reply. A copy of this Statement is enclosed.

☐ Please charge Deposit Account 08-0380 in the amount of \$[]. A copy of this Statement is enclosed.

☒ Please charge any deficiency in fees and credit any overpayment to Deposit Account 08-0380.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By

Anabela Cristina Taylor

Registration No.: 38,999

Telephone: (781) 861-6240

Facsimile: (781) 861-9540

Lexington, Massachusetts 02421-4799

Dated: May 15, 2001

PTO-1449 REPRODUCED

ATTORNEY DOCKET NO.
1314.1062-000APPLICATION NO.
09/444,335SECOND SUPPLEMENTAL INFORMATION DISCLOSURE
CITATION
IN AN APPLICATIONAPPLICANT
Grigori N. Enikolopov, et al.**COPY**

May 10, 2001

FILING DATE
November 19, 1999GROUP
1632

(several sheets if necessary)

U.S. PATENT DOCUMENTS

EXAM- INER INI- TIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE
	AG						
	AH						
	AI						
	AJ						
	AK						
	AA2						
	AB2						
	AC2						
	AD2						

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FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION YES NO
	AM	WO 9919469 A	22-04-99	PCT			
	AN	DE 19727962 A	14-01-99	DE			
	A0						
	AP						

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

AZ2	Yamaguchi, M., et al., "Visualization of Neuronal Stem Cells In Vivo," <i>Neuroscience Research Supplement</i> , 22:S286 (1998) (Abstract No. 639).
AR3	Winkler, C., et al., "Incorporation and Glial Differentiation of Mouse EGF-Responsive Neural Progenitor Cells After Transplantation Into the Embryonic Rat Brain," <i>Molecular and Cellular Neuroscience</i> , 11(3):99-116, (1998, June).
AS3	Roy, N.S., et al., "Identification, Isolation, and Promoter-Defined Separation of Mitotic Oligodendrocyte Progenitor Cells From the Adult Human Subcortical White Matter," <i>Journal of Neuroscience</i> , 19(22):9986-9995 (1999, November).
AT3	Reddy, S., et al. "Fluorescence Activated Sorting of Totipotent Embryonic Stem Cells Expressing Developmentally Regulated lacZ Fusion Genes," <i>Proceedings of the National Academy of Sciences USA</i> , 89:6721-6725, (1992, August).
AU3	

EXAMINER

DATE CONSIDERED